

# **Monterey County**

*Monterey County Government Center  
Board of Supervisors Chambers  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901*



## **Action Minutes - Final**

**Tuesday, August 18, 2020**

**9:00 AM**

**Special Meeting**

## **Board of Supervisors**

*Chair Supervisor Chris Lopez - District 3  
Vice Chair Supervisor Jane Parker - District 4  
Supervisor Luis A. Alejo - District 1  
Supervisor John M. Phillips - District 2  
Supervisor Mary L. Adams - District 5*

**9:00 A.M. - Called to Order**

The meeting was called to order by Chair Supervisor Chris Lopez.

**Roll Called**

Present: 5 - Supervisor Chris Lopez appeared in person and Supervisor Jane Parker, Supervisor John M. Phillips, Supervisor Mary L. Adams, Supervisor Luis A. Alejo appeared via video conference

**Staff Present**

Charles McKee, County Administrative Officer, Les Girard, County Counsel, Julian Lorenzana, Board Clerk and Valerie Ralph, Clerk of the Board appeared in person.

**Additions and Corrections for Closed Session by County Counsel**

The following additions and corrections were read into the record:

Add to the closed session under Government. Code section 54957 (a) a brief discussion of the River Fire and the danger it presents to County infrastructure facilities.

A motion was made by Supervisor Luis A. Alejo, seconded by Supervisor John M. Phillips to approve the additions and corrections to closed session.

Roll call vote taken pursuant to Government Code 54953:

- Supervisor Alejo: AYE
- Supervisor Phillips: AYE
- Supervisor Parker: AYE
- Supervisor Adams: AYE
- Chair Supervisor Lopez: AYE

**Closed Session**

1. Closed Session under Government Code section 54950, relating to the following items:
  - a. Pursuant to Government Code section 54957(a), the Board will confer with County Counsel regarding matters posing a threat to the security of public buildings, essential public services, or the public’s right of access to public services or facilities.
  - b. Pursuant to Government Code section 54957.6, the Board will provide direction to negotiators:
    - (1) Designated representatives: Irma Ramirez-Bough and Kim MooreEmployee Organization(s): All Units

c. Pursuant to Government Code section 54956.9(d)(1), the Board will confer with legal counsel regarding existing litigation:

(1) Cynthia Shaffer (Worker's Compensation Appeals Board case no. ADJ12051777)

(2) Cynthia Shaffer (Worker's Compensation Appeals Board case no. ADJ12051778)

(3) Cynthia Shaffer (Worker's Compensation Appeals Board case no. ADJ11054410)

(4) City of Marina, et. al. v. County of Monterey, et al. (Monterey County Superior Court case no. 19CV005270)

d. Pursuant to Health & Safety Code section 1462, the Board will receive a report and confer involving a hospital trade secret. Discussion will concern a proposed new program. Estimated date of public disclosure: December 31, 2020.

e. Pursuant to Health & Safety Code section 1462, the Board will receive a report and confer involving a hospital trade secret. Discussion will concern a proposed new service, program, or facility. Estimated date of public disclosure: December 31, 2021.

f. Pursuant to Government Code section 54957 (a), the Board will have a brief discussion on the River Fire and the danger it presents to County infrastructure facilities. (ADDED VIA ADDITIONS AND CORRECTIONS)

### **Public Comment**

Open for public comments; no public comments made.

### **The Board Recessed for Closed Session Agenda Items**

### **10:30 A.M. - Reconvened on Public Agenda**

### **Roll Called**

Present: 5 - Supervisor Chris Lopez appeared in person and Supervisor Jane Parker, Supervisor John M. Phillips, Supervisor Mary L. Adams, Supervisor Luis A. Alejo appeared via video conference

### **Staff Present**

Charles McKee, County Administrative Officer, Les Girard, County Counsel, Julian Lorenzana, Board Clerk and Valerie Ralph, Clerk of the Board appeared in person.

### **Pledge of Allegiance**

The Pledge of Allegiance was led by Charles McKee, County Administrative Officer.

**Announcement of Interpreter**

Maria Avila, Spanish Interpreter present and announced Spanish interpreter services.

**Additions and Corrections by Clerk**

The following additions and corrections were read into the record:

**Add to Other Board Matters**

Item No. 8.1 Ratification Resolution to Proclaim of the Existence of a Local Emergency as of August 17, 2020

**10:30 A.M. – Scheduled Matters**

Item No. 10 to consider adoption of an emergency ordinance renewing and extending Ordinance 5325 through September 30, 2020 is in receipt of two alternative ordinances Version 2 and Version 3 as other consideration.

Item No. 11 (c) “Provide direction to staff to address COVID-19, including sending a letter to the Governor regarding beach closures during Labor Day weekend.”

Add to the Adjournment to Adjourn in Memory of Peggy Shirrel and Denyse Frischmuth

A motion was made by Supervisor Jane Parker, seconded by Supervisor Mary L. Adams to approve the additions and corrections.

Roll call vote taken pursuant to Government Code 54953:

- Supervisor Alejo: AYE
- Supervisor Phillips: AYE
- Supervisor Parker: AYE
- Supervisor Adams: AYE
- Chair Supervisor Lopez: AYE

**Consent Calendar- (See Supplemental Sheet)**

- 2. Approval of Consent Calendar Items No. 15 through 36.2.

Supervisor Mary L. Adams had questions and comments on Consent Item No.'s 27 and 36.1; Les Girard, County Counsel, in person, from the County Counsel's office responded Item No. 36.1 can also address the camping issue on Highway 1 and Nacimiento Ferguson. The identification of these areas on Highway 1 and Nacimiento Ferguson will need to be provided to incorporate them into this urgency ordinance.

Irma Ramirez-Bough, Director of Human Resources, via Zoom, responded to Supervisor Adams' concerns in amending the Personnel Policies and Practice Resolution referenced in Item No. 27.b. "Assistant Department Heads Designated to remove the classification of Zoning Administrator from the

designated Assistant Department Heads list as indicated in Attachment A." At this time, Item No. 27.b. will be removed from the proposed Adopt a Resolution and only Item No. 27.a. and c. will have action taken.

Open for public comments; no public comments were made.

A motion was made by Supervisor Mary L. Adams, seconded by Supervisor Luis A. Alejo to approve Consent Calendar Item Numbers 15 through 36.1, as amended, and Item No. 36.2 excluding Item No. 27.b. with Item No. 27 a. and c. to remain in the motion.

Roll call vote taken pursuant to Government Code 54953:

- Supervisor Alejo: AYE
- Supervisor Phillips: AYE
- Supervisor Parker: AYE
- Supervisor Adams: AYE
- Chair Supervisor Lopez: AYE

Now at a later time Consent Calendar Item No. 27 is recalled for reconsideration.

A motion was made by Mary L. Adams, seconded by Supervisor Jane Parker to open for reconsideration Consent Calendar Item No. 27 to Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394 Appendix A and B to abolish the classifications and associated to re-add Item No. 27.b. and consider the item as a whole with a., b. and c.:

Roll call vote taken pursuant to Government Code 54953:

- Supervisor Alejo: AYE
- Supervisor Phillips: AYE
- Supervisor Parker: AYE
- Supervisor Adams: AYE
- Chair Supervisor Lopez: AYE

A motion was made by Mary L. Adams, seconded by Supervisor Jane Parker to adopt Resolution No. 20-270 as amended:

- a. Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394 Appendix A and B to abolish the classifications and associated salary ranges as indicated in Attachment A excluding the position of the Zoning Administrator; and
- b. To be brought back at a later time for consideration to amend Personnel Policies and Practices Resolution (PPPR) No. 98-394 Section A.10.2 - Assistant Department Heads Designated to remove the classification of Zoning Administrator from the designated Assistant Department Head list as indicated in Attachment A; and
- c. Direct the Human Resources Department to implement the changes in the Advantage HRM system.

Roll call vote taken pursuant to Government Code 54953:

- Supervisor Alejo: AYE
- Supervisor Phillips: AYE
- Supervisor Parker: AYE
- Supervisor Adams: AYE
- Chair Supervisor Lopez: AYE

### Ceremonial Resolutions

Open for public comments; no public comments made.

3. Resolution commemorating August 26, 2020 as the National Centennial of Ratification of the 19th Amendment in Monterey County; Designating November 1, 2020, the 100th Anniversary of California's Ratification of the 19th Amendment, as the beginning of "The Year of Monterey County Women" in Monterey County; and Reaffirming the County of Monterey's commitment to empowering and uplifting the voices of women across our community. (Full Board - Supervisor Adams)

**A motion was made by Supervisor Mary L. Adams, seconded by Supervisor John M. Phillips to:**

**Adopt Resolution No. 20-269 commemorating August 26, 2020 as the National Centennial of Ratification of the 19th Amendment in Monterey County; Designating November 1, 2020, the 100th Anniversary of California's Ratification of the 19th Amendment, as the beginning of "The Year of Monterey County Women" in Monterey County; and Reaffirming the County of Monterey's commitment to empowering and uplifting the voices of women across our community. (Full Board - Supervisor Adams)**

**Roll call vote taken pursuant to Government Code 54953:**

**Supervisor Alejo: AYE  
Supervisor Phillips: AYE  
Supervisor Parker: AYE  
Supervisor Adams: AYE  
Chair Supervisor Lopez: AYE**

### Appointments

Open for public comments; no public comments made.

4. Reappoint Victor Caravez to the Community Action Commission, representing the low-income sector with a term ending on July 1, 2023. (Supervisor Alejo- District 1)

**A motion was made by Supervisor Jane Parker, seconded by Supervisor John M. Phillips to reappoint Victor Caravez to the Community Action Commission, representing the low-income sector with a term ending on July 1, 2023. (Supervisor Alejo- District 1)**

**Roll call vote taken pursuant to Government Code 54953:**

**Supervisor Alejo: AYE  
Supervisor Phillips: AYE  
Supervisor Parker: AYE  
Supervisor Adams: AYE  
Chair Supervisor Lopez: AYE**

5. Appoint Rebecca (Becky) Aguilar to the Soledad Cemetery Board filling an unexpired term with a term expiration date of February 1, 2024. (Supervisor Lopez- District 3)

A motion was made by Supervisor Jane Parker, seconded by Supervisor John M. Phillips to appoint Rebecca (Becky) Aguilar to the Soledad Cemetery Board filling an unexpired term with a term expiration date of February 1, 2024.  
(Supervisor Lopez- District 3)

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE  
Supervisor Phillips: AYE  
Supervisor Parker: AYE  
Supervisor Adams: AYE  
Chair Supervisor Lopez: AYE

### Other Board Matters

#### 6. Board Comments

Supervisor Luis A. Alejo commented on the following:

Praised all the First Responders battling to maintain the River Fire; Thanked Governor Gavin Newsom for signing a bill that requires California State University students who enter as freshmen in 2021-22 to take an ethnic studies course in order to graduate; and lastly he was invited to speak as a guest speaker at the Panetta Institute.

Supervisor John M. Phillips shared:

This was a Perfect Storm with COVID-19; the heatwave and P.G.&E. doing rolling blackouts and then the lightening and thunderstorms causing the fires; He empathized with the First Responders on how difficult those assignments can be and those that lost their homes; and lastly he expressed his condolences on Peggy Shirrel's passing.

Supervisor Jane Parker thanked:

All those that are working to contain the River Fire; and expressed gratitude towards the SPCA and the Horse Equestrian efforts in housing animals who also needed shelter due to the evacuations.

Supervisor Mary L. Adams remarked:

The River Fire has claimed 4000 acres and destroyed 600 structures; Communication needs to be dispersed to the public on the fire; It is a Perfect Storm; COVID-19, the beaches and social distancing which the public not adhering to; and Labor Day with the beaches being asked to be closed.

Supervisor Chris Lopez commented:

Thanked the First Responders and the Fire Department for all their hard work; He also thanked the community for their response in stepping up as they helped in many ways; To please continue to keep the required distance and wear face coverings, our numbers are still rising; and we need to keep each other safe; and he thanked the Deputies who are patrolling Greenbridge, the no use area.

#### 7. County Administrative Officer Comments and Referrals

Charles McKee, County Administrative Officer thanked:

The Office of Emergency Services, the Monterey County Sheriff's Office and the

First Responders; This has hit close to home for him and his family and he recognizes those that have lost their homes and possessions; and expressed we all need to stand up for our fellow human beings.

He stated there were two referrals this week:

One from Supervisor Luis Alejo seeking to provide relief to local low-income renters adversely impacted by the COVID-19 crisis using federal CARES funding. The referral further requests a report and presentation to the Board within (4) weeks from the date of assignment; and

The other from Supervisor Mary L. Adams requesting that opportunities be explored for a County, and/or a County-Community Partner(s), acquisition of the Carmel Valley Airport to ensure public safety and disaster response capacity, particularly related to fire response, as well as preservation of open space. The referral further requests ongoing status reports to the Board, with the first report due to the Board on October 1, 2020.

Open for public comments; Jim Lipe, in person, and John Heyl, Pris Walton, Karin Stasser Kaufman, Robert Korstanje and Cesar Lara, all via Zoom, commented on the Board Referral Matrix.

**8.** General Public Comments

Open for general public comments for items not on today's agenda; Eric Peterson and Jim Lipe, in person, and Jim Campbell, via Zoom, commented.

**8.1** Ratification of proclamation of the existence of a local emergency as of August 17, 2020 (River Fire began on August 16, 2020) and Proclamation of a new Local Emergency as of August 18, 2020 (broke out along Cachagua Road between Sky Ranch Road and Via Cielo). (VIA ADDITIONS AND CORRECTIONS)

Les Girard, County Counsel, in person, from the County Counsel's office verbally presented.

Open for public comments; no public comments made.

A motion was made by Supervisor Luis A. Alejo, seconded by Supervisor John M. Phillips to:

Adopt Ratification Resolution 20-277 to Proclaim the Existence of a Local Emergency as of August 17, 2020. (VIA ADDITIONS AND CORRECTIONS)

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE

Supervisor Phillips: AYE

Supervisor Parker: AYE

Supervisor Adams: AYE

Chair Supervisor Lopez: AYE

Supervisor Jane Parker stepped away when this matter was recalled.

Now at a later time Item No. 8.1 is recalled for reconsideration.

A motion was made by Mary L. Adams, seconded by Supervisor Luis A. Alejo to open for reconsideration Item No. 8.1 adopting Ratification Resolution 20-277 to Proclaim the Existence of a Local Emergency as of August 17, 2020 and

Proclamation of a new Local Emergency as of August 18, 2020.

Roll call vote taken pursuant to Government Code 54953:  
Supervisor Alejo: AYE  
Supervisor Phillips: AYE  
Supervisor Parker: ABSENT  
Supervisor Adams: AYE  
Chair Supervisor Lopez: AYE

A motion was made by Mary L. Adams, seconded by Supervisor Luis A. Alejo to:  
Adopt Ratification Resolution 20-277 to Proclaim the Existence of a Local Emergency as of August 17, 2020 and Proclamation of a new Local Emergency as of August 18, 2020.

Roll call vote taken pursuant to Government Code 54953:  
Supervisor Alejo: AYE  
Supervisor Phillips: AYE  
Supervisor Parker: ABSENT  
Supervisor Adams: AYE  
Chair Supervisor Lopez: AYE

- 9. Receive a report on AB 1436 (Chiu) Tenancy: rental payment default: state of emergency: COVID-19.; and provide direction on a Board position on the bill.

Annette D'Adamo, Management Analyst III, via Zoom, from the Intergovernmental and Legislative Affairs Division and with Ashley Walker, Senior Policy Advisor, via Zoom, with Nossaman, LLP. verbally presented.

Open for public comments; Edgar Ibarra, Marla Anderson, Nick Musni, Andrea Rushin, Carmen (no last name provided),Chris Anderson, Alex (last name inaudible), all via Zoom, and Eric Peterson, in person, commented.

Upon consensus the Board:  
Received a report on AB 1436 (Chiu) Tenancy: rental payment default: state of emergency: COVID-19.; and provide direction on a Board position on the bill.

A motion was made by Supervisor Luis A. Alejo, seconded by Supervisor Jane Parker:  
To send a letter in support of AB 1436 Tenancy: rental payment default: mortgage forbearance: state of emergency COVID-19. As Amended August 10, 2020, to The Honorable David Chiu at the California State Assembly.

Roll call vote taken pursuant to Government Code 54953:  
Supervisor Alejo: AYE  
Supervisor Phillips: ABSENT  
Supervisor Parker: AYE  
Supervisor Adams: AYE  
Chair Supervisor Lopez: AYE

Supervisor Phillips excused himself at 12:15 p.m.

10:30 A.M. - Scheduled Matters Items No. 10 and 11 are trailed to 1:00 p.m.

**12:00 P.M. - Recessed to Lunch at 12:33 p.m. to reconvene at 1:00 P.M.**

**1:00 P.M. - Reconvened**

**Roll Called**

**Present: 5 - Supervisor Chris Lopez appeared in person and Supervisor Jane Parker, Supervisor John M. Phillips, Supervisor Mary L. Adams, Supervisor Luis A. Alejo appeared via video conference**

**Staff Present**

**Charles McKee, County Administrative Officer, Les Girard, County Counsel, Julian Lorenzana, Board Clerk and Valerie Ralph, Clerk of the Board appeared in person.**

**Announcement of Interpreter**

**Maria Avila, Spanish Interpreter present and announced Spanish interpreter services.**

**10:30 A.M. Scheduled Matters are now heard at 1:00 p.m.**

- 10.** Consider adopting an urgency ordinance renewing and extending Ordinance No. 5325 (that adopted a temporary COVID-19 pandemic related prohibition on evictions) through September 30, 2020 (4/5ths vote required).

**Les Girard, County Counsel, in person, from the County Counsel's office verbally presented.**

**Open for public comments; Emily Ham, via Zoom, commented.**

**A motion was made by Supervisor Luis A. Alejo, seconded by Supervisor Jane Parker to:**

**Adopt an urgency Ordinance No. 5338 (Version 2, ADDED VIA ADDITIONS AND CORRECTIONS) renewing and extending Ordinance No. 5325 (that adopted a temporary COVID-19 pandemic related prohibition on evictions) through September 30, 2020 (4/5ths vote required).**

**Roll call vote taken pursuant to Government Code 54953:**

- Supervisor Alejo: AYE**
- Supervisor Phillips: AYE**
- Supervisor Parker: AYE**
- Supervisor Adams: AYE**
- Chair Supervisor Lopez: AYE**

- 11.**
  - a. Briefing and update on COVID-19, including impacts, and action, proposals and plans to address (verbal report);
  - b. Receive and adopt the County’s Coronavirus Aid, Relief, and Economic Security (CARES) Act Spending Plan addressing urgent needs in support of the County’s

response to the COVID-19 public health emergency in the amount of \$44.9 million as indicated Attachment A; and,

c. Provide direction to staff to address COVID-19.

**Nick E. Chiulos, Assistant County Administrative Officer from the County Administrative office, in person, made opening remarks with additional presenters:**

**Dr. Edward Moreno, Health Officer and Kristy Michie, Assistant Bureau Chief, via Zoom, from the Health Department presented via PowerPoint presentation.**

**Nick E. Chiulos, Assistant County Administrative Officer from the County Administrative office, in person, returned to present on Item 11.c. regarding the proposed letter to send to Governor Newsom on closing the all State beaches within Monterey County during the upcoming Labor Day weekend.**

**Open for public comment; no public comments made.**

**This matter was recalled at 10:51 a.m. as due to inadvertence one presenter, et. al. was not called on:**

**Ezequiel Vega, Budget Director, via Zoom, from the Budget and Analysis Department presented via PowerPoint presentation on the CARES Act with additional presenters:**

**Elsa Jimenez Director of Health from the Health Department, Lori Medina, Director of Social Services from the Social Services Department and Sheriff Stephen Bernal with Captain Joe Moses from the Monterey County Sheriff's Office, all via Zoom, and Nick E. Chiulos, Assistant County Administrative Officer from the County Administrative office, in person, presented via PowerPoint presentation**

**Dr. Deneen Gus, Monterey County Superintendent of Schools and Adam Zavala, both via Zoom, presented via PowerPoint presentations on the Digital Divide.**

**Open for public comment; Esther Malkin, Bernie Gomez, Edgar Ibarra, Nick Musni and Alexis Magdeleno, all via Zoom, commented.**

**A motion was made by Supervisor Luis A. Alejo, seconded by Supervisor Jane Parker, as amended, to:**

**b. Receive and adopted the County's Coronavirus Aid, Relief, and Economic Security (CARES) Act Spending Plan addressing urgent needs in support of the County's response to the COVID-19 public health emergency in the amount of \$44.9 million in Attachment A; and,**

**Roll call vote taken pursuant to Government Code 54953:**

**Supervisor Alejo: AYE  
Supervisor Phillips: AYE  
Supervisor Parker: AYE  
Supervisor Adams: AYE  
Chair Supervisor Lopez: AYE**

**A motion was made by Supervisor Mary L. Adams, seconded by Supervisor**

**Luis A. Alejo to:**

**c. Provide direction to staff to address COVID-19, including sending a letter to the Governor to send a letter to the Governor and State Parks Director requesting that all State beaches located in Monterey County be closed during the upcoming Labor Day weekend due to the potential spread of COVID-19. (ADDED VIA ADDITIONS AND CORRECTIONS)**

**Roll call vote taken pursuant to Government Code 54953:**

**Supervisor Alejo: AYE**

**Supervisor Phillips: AYE**

**Supervisor Parker: AYE**

**Supervisor Adams: AYE**

**Chair Supervisor Lopez: AYE**

### **1:30 P.M. - Scheduled Matters**

- 12.**
- a. Accept additional fund augmentation from the Government Operations Agency, California Complete Count - Census 2020 Office (“CCC Office”) in the amount of \$90,517 (“Additional Fund Augmentation”), for the purpose of supporting 2020 Census efforts in the Non-Response Follow Up (“NRFU”) period in the following priority Census Tracts with a Hard-to-Count (“HTC”) Index of 69 and above through October 31, 2020;
  - b. Direct the Auditor-Controller to amend the Fiscal Year 2020-21 Adopted Budget, Fund 001, Appropriation Unit CAO024, increasing appropriations by \$90,517 funded by the Government Operations Agency, California Complete Count - Census 2020 Office Additional Fund Augmentation. (4/5th vote required)
  - c. Approve and ratify execution by County Administrative Officer of an Amendment No. 2 to Standard Agreement #CCC-18-20021 with the CCC Office, for the purpose of supporting 2020 Census efforts in the NRFU period, adding \$90,517 for a total contract liability of \$531,963 and for the full term of March 1, 2019 to December 31, 2020.
  - d. Approve a one-time investment in the 2020 Census Monterey County outreach efforts, financed from a release of \$200,000 from the cannabis assignment (BSA 3132).
  - e. Direct the Auditor-Controller to amend the Fiscal Year 2020-21 Adopted Budget, Fund 001, Appropriation Unit CAO024, increasing appropriations by \$200,000 financed by a release from the cannabis assignment (BSA 3132). (4/5th vote required)

**Rosemary Soto, Management Analyst, in person, from the County Administrative office presented via PowerPoint presentation with additional presenters:**

**Beatrice Trujillo, Patricia Vasquez, Isabel Mendoza and Erika Matadames, via Zoom, and Danny Gonzales and Chongo (no last name provided), in person, presented via PowerPoint Presentation.**

Open for public comments; no public comments made.

A motion was made by Supervisor Luis A. Alejo, seconded by Supervisor Chris Lopez, as amended, to:

- a. Accept additional fund augmentation from the Government Operations Agency, California Complete Count - Census 2020 Office ("CCC Office") in the amount of \$90,517 ("Additional Fund Augmentation"), for the purpose of supporting 2020 Census efforts in the Non-Response Follow Up ("NRFU") period in the following priority Census Tracts with a Hard-to-Count ("HTC") Index of 69 and above through October 31, 2020;
- b. Direct the Auditor-Controller to amend the Fiscal Year 2020-21 Adopted Budget, Fund 001, Appropriation Unit CAO024, increasing appropriations by \$90,517 funded by the Government Operations Agency, California Complete Count - Census 2020 Office Additional Fund Augmentation. (4/5th vote required)
- c. Approve and ratify execution by County Administrative Officer of an Amendment No. 2 to Standard Agreement #CCC-18-20021 with the CCC Office, for the purpose of supporting 2020 Census efforts in the NRFU period, adding \$90,517 for a total contract liability of \$531,963 and for the full term of March 1, 2019 to December 31, 2020.
- d. Approve a one-time investment in the 2020 Census Monterey County outreach efforts, financed from a release of \$300,000 from the cannabis assignment (BSA 3132).
- e. Direct the Auditor-Controller to amend the Fiscal Year 2020-21 Adopted Budget, Fund 001, Appropriation Unit CAO024, increasing appropriations by \$300,000 financed by a release from the cannabis assignment (BSA 3132). (4/5th vote required)

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE  
Supervisor Phillips: AYE  
Supervisor Parker: AYE  
Supervisor Adams: AYE  
Chair Supervisor Lopez: AYE

13.
  - a. Receive a report from the County Administrative Office on the COVID-19 Pandemic Disparate Impact Report ("Report"): Strategies for Addressing the Disparate Impact of the COVID-19 Pandemic on Communities of Color in Monterey County.
  - b. Provide direction to staff regarding the strategies identified in the Report for addressing Disparate Impacts of the COVID-19 Pandemic on Communities of Color in Monterey County.

Matter continued to Tuesday, September 1, 2020:

- a. Receive a report from the County Administrative Office on the COVID-19 Pandemic Disparate Impact Report ("Report"): Strategies for Addressing the Disparate Impact of the COVID-19 Pandemic on Communities of Color in Monterey County.
- b. Provide direction to staff regarding the strategies identified in the Report for addressing Disparate Impacts of the COVID-19 Pandemic on Communities of Color in Monterey County.

14. Receive a presentation from The Gonzales Youth Council (GYC) on the recently

implemented participatory research study with the help of adult allies and research partners from CSUMB, and their assessment on how well Gonzales youth were coping with the COVID-19 pandemic as they merged into distance learning and the effects that the transition has had on their mental health.

**Elsa Jimenez, Director of Health, via Zoom, from the Health Department made opening remarks.**

**Rene Mendez, from the Gonzales Youth Council and Yvette Irving, Unified School Superintendent from City of Gonzales, both via Zoom, presented via PowerPoint presentation. Past and present Gonzales Youth Council introduced themselves, via Zoom, and presented on their Action Research Project via PowerPoint presentation.**

**Open for public comments; Kent Glenzer, via Zoom, commented**

**Upon consensus the Board:**

**Received a presentation from The Gonzales Youth Council (GYC) on the recently implemented participatory research study with the help of adult allies and research partners from CSUMB, and their assessment on how well Gonzales youth were coping with the COVID-19 pandemic as they merged into distance learning and the effects that the transition has had on their mental health.**

### **Read Out from Closed Session by County Counsel**

#### **CLOSED SESSION REPORT:**

**1. Closed Session under Government Code section 54950, relating to the following items:**

**a. Pursuant to Government Code section 54957(a), the Board will confer with County Counsel regarding matters posing a threat to the security of public buildings, essential public services, or the public's right of access to public services or facilities.**

**CLOSED SESSION REPORT: The Board took no reportable actions on items 1.a.**

**b. Pursuant to Government Code section 54957.6, the Board will provide direction to negotiators: (1) Designated representatives: Irma Ramirez-Bough and Kim Moore Employee Organization(s): All Units**

**CLOSED SESSION REPORT: The Board took no reportable actions on items 1.b.**

**c. Pursuant to Government Code section 54956.9(d)(1), the Board will confer with legal counsel regarding existing litigation: (1) Cynthia Shaffer (Worker's Compensation Appeals Board case no. ADJ12051777) (2) Cynthia Shaffer (Worker's Compensation Appeals Board case no. ADJ12051778) (3) Cynthia Shaffer (Worker's Compensation Appeals Board case no. ADJ11054410)**

**CLOSED SESSION REPORT: The Board took no reportable actions on items 1.c.(1)(2)(3)**

d. Pursuant to Health & Safety Code section 1462, the Board will receive a report and confer involving a hospital trade secret. Discussion will concern a proposed new program. Estimated date of public disclosure: December 31, 2020.

CLOSED SESSION REPORT: The Board took no reportable actions on items 1.d.

e. Pursuant to Health & Safety Code section 1462, the Board will receive a report and confer involving a hospital trade secret. Discussion will concern a proposed new service, program, or facility. Estimated date of public disclosure: December 31, 2021.

CLOSED SESSION REPORT: The Board took no reportable actions on items 1.e.

f. Pursuant to Government Code section 54957 (a), the Board will have a brief discussion on the River Fire and the danger it presents to County infrastructure facilities. (ADDED VIA ADDITIONS AND CORRECTIONS)

CLOSED SESSION REPORT: The Board took no reportable actions on items 1.f.

**Adjourned**

The meeting was adjourned In Memory of Peggy Shirrel and Denyse Frischmuth at 5:54 p.m. by Chair Supervisor Chris Lopez.

**APPROVED:**

\_\_\_\_\_/s/ Chris Lopez\_\_\_\_\_  
**CHRIS LOPEZ, CHAIR**  
**BOARD OF SUPERVISORS**

**ATTEST:**

**BY: \_\_\_\_\_/s/ Valerie Ralph\_\_\_\_\_**  
**VALERIE RALPH**  
**CLERK OF THE BOARD**  
**APPROVED ON September 1, 2020**

**Supplemental Sheet, Consent Calendar****Natividad Medical Center**

15. Authorize the County Counsel to execute amendment No. 3 to the agreement (A-13923) with Best Best & Krieger, LLP for specialized attorney services, adding \$140,000 for a revised total agreement amount not to exceed \$465,000 and with no change to the term May 1, 2017 through April 30, 2022.

**Approved - Agreement No. A-13923, Amendment No. 3**

16. a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute an agreement with The Center for Case Management for interim leadership, consulting, and subject matter expert services in case management and social services at NMC for an amount not to exceed \$400,000 with an agreement term of August 18, 2020 through August 17, 2023.
- b. Approve the NMC Chief Executive Officer's recommendation to accept non-standard insurance provisions within the agreement.
- c. Authorize the Deputy Purchasing Agent for NMC or his designee to execute up to three (3) future amendments to the agreement which do not significantly alter the scope of work and do not cause an increase of more than ten percent (10%) (\$40,000) of the original cost of the agreement.

**Approved - Agreement No. A-14931**

17. a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute renewal and amendment No. 8 to the agreement (A-12260) with 3M Company for medical records coding software maintenance services, extending the agreement an additional one (1) year period (August 9, 2020 through August 8, 2021) for a revised full agreement term of August 9, 2010 through August 8, 2021, and adding \$242,022 for a revised total agreement amount not to exceed \$2,005,492.

**Approved - Agreement No. A-12260, Amendment No. 8**

**Health Department**

18. Approve and Authorize the Director of Health or Assistant Director of Health to execute an Agreement with Common Cents Systems, Inc. in the amount of \$145,274 for the retroactive period from July 1, 2020 to June 30, 2023 to continue software maintenance/technical support based upon eleven user licenses for the Apollo LIMS Laboratory Information Management Software, lab interfaces, cache, database, and professional services.

**Approved - Agreement No. A-14932**

19. Approve and Authorize the Director of Health or Assistant Director of Health to execute a Standard Agreement with Monterey Bay Analytical Services, Inc. in the amount of \$45,000, for the retroactive period from April 1, 2020 through August 31, 2023 to continue the provision of environmental laboratory testing/analysis.
- Approved - Agreement No. A-14933**
20. a. Accept a \$2,500,000 Capital Program Implementation Grant Award from Santa Cruz-Monterey-Merced Managed Medical Care Commission, doing business as Central California Alliance for Health (“the Alliance”) in support of the East Salinas Sanborn Clinic project; and
- b. Approve and authorize the Director of Health or the Assistant Director of Health to execute a Medi-Cal Capacity Grant Agreement (“Agreement”), Grant Number 0120-MCHD-BH-CI with the Alliance and the County of Monterey, on behalf of the Monterey County Health Department Behavioral Health Bureau (“County”) in the amount of \$2,500,000, effective on the date of final execution by the Alliance and expiring thirty-nine (39) months after, or such later date as the parties may mutually agree.
- Grant Number 0120-MCHD-BH-CI**
21. Approve and Authorize the Director of Health or Assistant Director of Health to sign Amendment No. 1 to Agreement No. A-14311 (“Agreement”) with California Rural Legal Assistance (CRLA) Medical-Legal Partnership (MLP) to extend the term for an additional six (6) months, for a revised term of May 21, 2019 through June 30, 2021 and to increase the contract by \$274,925 for a new agreement total of \$662,445 for legal services to patients of the Clinic Services Bureau to address social determinants of health.
- Approved - Agreement No. A-14311**
22. a. Ratify the execution by the Director of Health, of a Placement Agreement with Quidel Corporation, signed on July 15, 2020, in connection with the purchase of COVID-19 tests, and the placement of five (5) test analyzers in Monterey County Health Department, Clinic Services Bureau clinics with an effective date upon execution by both parties, for a period of 36-months from that effective date and a total purchase commitment of \$134,963; and
- b. Approve the recommendation of Director of Health to accept all non-standard provisions in Agreement, including insurance, indemnification and payment provisions; and
- c. Authorize the Director of Health or Assistant Director of Health or their designees to sign up to three (3) future amendments to this Agreement where the amendments do not significantly change the scope of work.
- Approved - Agreement No. A-14934**

**Department of Social Services**

23. a. Approve and authorize the Director of the Department of Social Services to sign an agreement with Goodwill Central Coast for \$1,400,000 to provide Expanded Subsidized Employment training, supervision, intensive case management, and job performance evaluations for CalWORKs Welfare-to-Work customers, retroactively to August 1, 2020 through June 30, 2021; and
- b. Authorize the Director of the Department of Social Services to sign up to three (3) amendments to this agreement where the total amendments do not exceed 10% (\$140,000) of the original contract amount and do not significantly change the scope of work.

**Approved - Agreement No. A-14935**

24. a. Approve and authorize the Director of the Department of Social Services to sign an agreement with the Alliance on Aging for \$544,202 to provide Outreach, Long Term Care Ombudsman, Health Insurance Counseling and Advocacy Services, and Medicare Improvements for Patients and Providers Act services to Monterey County seniors, retroactively to July 1, 2020 through June 30, 2021; and
- b. Authorize the Director of the Department of Social Services to sign up to three (3) amendments to this Agreement where the total amendments do not exceed 10% (\$54,420) of the original contract amount and do not significantly change the scope of work.

**Approved - Agreement No. A-14936**

**General Government**

25. a. Approve and authorize the Treasurer-Tax Collector to sign and execute a non-standard Agreement with Experian Information Solutions, Inc. for the provision of on-line credit reporting services in the amount of \$500 for Fiscal Year (FY) 2020-21, and \$500 for Fiscal Year (FY) 2021-22, for a maximum County obligation of \$1,000, retroactive to July 1, 2020 for the term July 1, 2020 through June 30, 2022; and
- b. Approve the Treasurer-Tax Collector's recommendation to accept non-standard indemnification provisions and non-standard limitation on liability provisions within the agreement.
- c. Approve and authorize the Treasurer-Tax Collector, through June 30, 2030, to sign and execute agreements containing substantially identical terms, including non-standard indemnification provisions and limitations on liability provisions, in future agreements with Experian Information Solutions, Inc.: (i) when the value does not exceed \$1,000 per year; (ii) where the cumulative value of all agreements entered into under the authority requested herein does not exceed \$10,000; and, (iii) subject to review and approval by County Counsel.

**Approved - Agreement No. A-14937**

26. a. Approve and authorize the County Clerk/Recorder (CCR) to execute an agreement with Kofile Services, Inc. (Kofile), for the microfilming of recorded documents and maps, in an amount not to exceed \$16,350, retroactive from July 1, 2020 to June 30, 2021; and
- b. Authorize the County Clerk/Recorder (CCR) authority to sign four future annual renewals to the Agreement under same or similar terms that do not significantly alter the scope of work or increase the annual payments in excess of 10% per year over the FY 2020-21 amount.
- c. This Agreement takes the aggregate amount for this Vendor over \$100,000.

**Approved - Agreement No. A-14938**

27. Adopt a Resolution to:
- a. Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394 Appendix A and B to abolish the classifications and associated salary ranges as indicated in Attachment A; and
- b. Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394 Section A.10.2 - Assistant Department Heads Designated to remove the classification of Zoning Administrator from the designated Assistant Department Head list as indicated in Attachment A; and
- c. Direct the Human Resources Department to implement the changes in the Advantage HRM system.

**Adopted Resolution No. 20-270 as amended:**

- a. **Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394 Appendix A and B to abolish the classifications and associated salary ranges as indicated in Attachment A excluding the position of the Zoning Administrator; and**
- b. **To be brought back at a later time for consideration to amend Personnel Policies and Practices Resolution (PPPR) No. 98-394 Section A.10.2 - Assistant Department Heads Designated to remove the classification of Zoning Administrator from the designated Assistant Department Head list as indicated in Attachment A; and**
- c. **Direct the Human Resources Department to implement the changes in the Advantage HRM system.**

28. a. Retroactively approve and authorize the County, by and through the County Assessor, to enter into an Annual Software Support Agreement with Apex Software, effective July 1, 2020, for the term July 1, 2020 through June 30, 2021, in an amount not to exceed \$3,500;
- b. Accept non-standard terms and conditions requested by vendor as recommended by the Assessor; and
- c. Authorize the Assessor to sign four future annual renewals to the agreement under same or similar terms that do not materially change the scope of work or increase the annual payments in excess of 10% per year.

**Approved - Agreement No. A-14939**

29. a. Approve the transfer of interest from Salinas Road Associates, a California Limited Partner, L.P. (the "Partnership") to Baywood Apartments, Inc., a California nonprofit public benefit corporation, that is purchasing the entire interest of the Partnership's limited partner, NEF Assignment Corporation's Limited Partnership, in connection with the Nuevo Amanecer Apartments in Pajaro; and
- b. Authorize staff to provide written notification to the California Tax Credit Allocation Committee ("TCAC") and undertake any other actions necessary to effect this.

**Approved**

30. Adopt a Resolution authorizing the Assistant County Administrative Officer to:
- a. Apply for and accept grant funds from the California Department of Conservation's SALC funding opportunity in the amount of \$192,500 to fund the development of an equity focused Community Climate Action and Adaptation Plan; and
- b. Enter into, execute, and deliver a State of California Grant Agreement as required by the SALC, subject to review and approval of the Office of the County Counsel as to form and legality.

**Adopted Resolution No. 20-271**

31. Adopt a Resolution to:
- a. Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394 Appendix A and B to create the classification of Assistant Director of Health Services with the salary range as indicated in Attachment A effective August 15, 2020; and
- b. Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394 Section A.10.2 Assistant Department Heads Designated, to add the classification of Assistant Director of Health Services and remove the classification of Director of Environmental Health as indicated in Attachment A; and
- c. Amend the Health Department Budget 4000-HEA014-8438 to Delete 1.0 FTE Bureau Chief and Add 1.0 FTE Assistant Director of Health Services as indicated in Attachment A; and
- d. Direct the County Administrative Office and the Auditor-Controller to incorporate the approved position changes in the FY 2020-21 Adopted Budget and the Human Resources Department to implement the changes in the Advantage HRM system.

**Adopted Resolution No. 20-272**

32. a. Amend Personnel Policies and Practices Resolution No. 98-394 and Appendix A to adjust the salary ranges for the classifications of Senior Inmate Services Specialist and Inmate Services Specialist as indicated in Attachment A; and

- b. Direct the County of Monterey Human Resources Department to implement the changes in the Advantage HRM System.
- c. Direct the Auditor-Controller to make retroactive payment to impacted employees effective August 1, 2020.

**Adopted Resolution No. 20-273**

- 33.** Adopt a Resolution to:
- a. Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394 Appendix A to adjust the salary ranges of the classifications of Public Health Microbiologist I; Public Health Microbiologist II; and Senior Public Health Microbiologist as indicated in Attachment A, effective August 15, 2020; and
  - b. Direct the Human Resources Department to implement the changes in the Advantage HRM system.

**Adopted Resolution No. 20-274**

- 34.** Adopt Resolution to:  
Adopt a resolution approving an amended conflict of interest code for the Salinas Valley Basin Groundwater Sustainability Agency (“SVBGSA”).

**Adopted Resolution No. 20-275**

- 35.** Adopt a Resolution to:
- a. Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394 Appendix A and B to create the classification of Economic Development Manager as indicated in Attachment A; and
  - b. Amend the County Administrative Office Budget 1050-CAO038 Unit 8514 to reallocate one (1) Management Analyst III to one (1) Economic Development Manager as indicated in Attachment A; and
  - c. Direct the County Administrative Office and the Auditor-Controller to incorporate the approved position changes in the FY 2020-21 Adopted Budget and the Human Resources Department to implement the changes in the Advantage HRM system.

**Adopted Resolution No. 20-276**

- 36.** Approve a request to change the use of the Cannabis Program allocation for unlicensed enforcement overtime and fixed wing and helicopter surveillance to allow the Cannabis Program Manager to use discretion for these funds for general unlicensed enforcement needs, and to expedite the processing of cannabis land use permits and construction permits by an outside consultant.

**Approved**

- 36.1** Introduce, waive reading and adopt an urgency ordinance creating “no parking tow away” and “no parking \$250 fine” zones along portions of Elm Avenue and Arroyo Seco Road in the unincorporated area near the Elm Avenue Bridge where it crosses

the Arroyo Seco River (4/5ths vote required). (ADDED VIA ADDENDA)

**Adopted Ordinance No. 5335 as amended.**

**Resources Management Agency**

**36.2**

a. Consider Board Referral 2019.12 regarding increased penalties for non-compliance with archeological on-site monitoring requirements associated with development projects to better protect Native American and other cultural resources; and

b. Continue this item to a date certain of September 1, 2020

**Project File:** Board Referral 2019.12 - Archaeological On-Site Monitoring

**Location:** County Wide

**Proposed CEQA Action:** Not a Project under California Environmental Quality Act (CEQA) Guidelines Section 15378(b)(5) (ADDED VIA ADDENDA)

**Continued to Tuesday, September 1, 2020**

**Addenda/Supplemental**

**37.**

**ADDENDA**

**Added to General Government**

36.1 Introduce, waive reading and adopt an urgency ordinance creating “no parking tow away” and “no parking \$250 fine” zones along portions of Elm Avenue and Arroyo Seco Road in the unincorporated area near the Elm Avenue Bridge where it crosses the Arroyo Seco River (4/5ths vote required).

**Added to Resource Management Agency**

36.2 a. Consider Board Referral 2019.12 regarding increased penalties for non-compliance with archeological on-site monitoring requirements associated with development projects to better protect Native American and other cultural resources; and

b. Continue this item to a date certain of September 1, 2020

**Project File:** Board Referral 2019.12 - Archaeological On-Site Monitoring

**Location:** County Wide

**Proposed CEQA Action:** Not a Project under California Environmental Quality Act (CEQA) Guidelines Section 15378(b)(5)